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				August 29, 2000 09/083,769 May 22, 1998	
TRANSMITTAL FORM			plication No.:		
(to be used for all correspondence during pendency of filed application)		Filing Date:			
		First Name Inventor		Gerard McGoogan	
		Examiner Name			
		Examiner Name		Ronald W. Leja	
		Arl	t Unit	2836	
Total Number of Pages in This Submission	6	Att	orney Docket No.	19900-03454	
ENCL	OSURES	(C	heck all that appl	y)	
Fee Transmittal Form (in duplicate)			Issue Fee Trans	mittal	
Check Enclosed			Letter to Chief Draftsperson		
Return Receipt Postcard			Formal Drawing(s):		
Itemized Deficiency Statement for Delayed Notification of Loss of Small Entity Status			on [] Sheet(s) of Figure(s) []		
Assignment & Recordation Cover Sheet			Appeal Communication to Board of Appeals and		
Declaration			Interferences		
Power of Attorney			Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)		
Application Data Sheet Information Disclosure Statement & PTO/SB/08A Copies of IDS Cited References Request for Corrected Filing Receipt			Certified Copy of Priority Document(s) After Allowance Communication to Group		
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<i>S</i> iGNA [*]	TURE OF	AT.	TORNEY OR AGE	NT	
Signature:	1	1			
Attorney/Reg. No.: Greg T. Sueoka, Reg. No.: 33,800 Dated: 4/27/05					
	CERTIFIC	ATE	OF MAILING		
I hereby certify that this correspondence, including t first class mail in an envelope addressed to: Mail St date shown below. If the Express Mail Mailing Numl Postal Service "Express Mail Post Africe to Address	he enclosures op Petition; Co ber is filed in b	ident ommis oelow,	ified above, is being deposi ssioner for Patents, P.O. Bo then this correspondence	ox 1450, Alexandria, VA 22313-1450 on the	
Signature:	Lun				
Typed or Printed Name: Greg T. Sueok				Dated: 4/27/05	
Express Mail Mailing Number (optional):					

EE TRANSMITTAL Complete if Known Patent No. 6,111,738 August 29, 2000 Issue Date: for FY 2005 Application No.: 09/083,769 Patent fees are subject to annual revision. Filing Date: May 22, 1998 Applicant claims small entity status. See 37 CFR 1.27 First Named Inventor Gerard McGoogan **Examiner Name** Ronald W. Leja Art Unit 2836 19900-03454 (\$) 520.00 Attorney Docket No. TOTAL AMOUNT OF PAYMENT METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) □ Check □ Credit Card □ Money Order □ Other □ None 3. ADDITIONAL FEES Deposit Account: Deposit Account Number Large Entity Small Entity Fee Description 19-2555 Fee Paid Deposit Account Name Fee Fee Fee Fee Fenwick & West LLP Code Code (\$) (\$) 1051 2051 The Commissioner is authorized to: (check all that apply) 130 65 Surcharge - late filing fee or oath or declaration ☐ Charge fee(s) indicated below ☐ Credit any overpayments 1052 2052 50 25 Surcharge - late provisional filing fee or cover sheet Charge all required fee(s) or any underpayment of fee(s) due 1053 130 1053 130 Non-English specification under 37 CFR §1.16 or §1.17 during the pendency of this 1812 2,520 1812 2,520 For filing a request for ex parte reexamination application 1804 9201 1804 920* Requesting publication of SIR prior to Examiner action Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. 1805 1.8401 1805 1.840* Requesting publication of SIR after Examiner action **FEE CALCULATION** 1251 2251 120 60 Extension for reply within first month 1. BASIC FILING FEE 1252 450 2252 225 Extension for reply within second month Large Entity Small Entity 1253 1020 2253 510 Extension for reply within third month Fee Fee Fee Fee 1254 1,590 2254 795 Extension for reply within fourth month Fee Paid **Fee Description** Code (\$) 1255 2,160 2255 1,080 Extension for reply within fifth month Code (\$) 1401 500 2401 250 Notice of Appeal 1402 500 2402 250 Filing a brief in support of an appeal 1403 1000 2403 500 Request for oral hearing 1451 1,510 1451 1,510 Petition to institute a public use proceeding Petition to revive - unavoidable 1452 500 2452 250 (\$) -0-SUBTOTAL (1) 1453 1,500 2453 750 Petition to revive - unintentional 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE 1501 1,400 2501 700 Utility issue fee (or reissue) Fee from below 1502 800 2502 400 Design issue fee Total Claims X 20** 1503 1100 2503 550 Plant issue fee Independent 1460 1460 Petitions to the Director Multiple Dependent 1807 50 1807 50 Processing fee for Provisional Applications 1806 Large Entity Small Entity 180 1806 180 Submission of Information Disclosure Stmt Fee Fee Fee Fee 8021 40 8021 40 Recording each patent assignment per property Fee Description (times number of properties) Code (\$) Code (\$) 1809 790 2202 2809 395 Filing a submission after final rejection 1202 50 25 Claims in excess of 20 (37 CFR 1.129(a)) 1810 790 2810 395 For each additional invention to be examined 2201 100 1201 200 Independent claims in excess of 3 (37 CFR 1.129(b)) 1203 360 2203 180 1801 790 2801 395 Request for Continued Examination (RCE) Multiple dependent claim, if not paid 1204 200 2204 100 1802 900 1802 900 Request for expedited examination of a design **Reissue independent claims over application original patent 1205 50 2205 25 **Reissue claims in excess of 20 Other fee (specify) Deficient Payment 520.00 and over original patent SUBTOTAL (3) (\$) 520.00 SUBTOTAL (2) (\$) -0or number previously paid, if greater; For Reissues, see above Reduced by Basic Filing Fee Paid SUBMITTED BY Complete (if applicable) Registration No. Name (Print/Type) 33,800 Telephone 650\335-7194 Greg T. Sugøka (Attorney/Agent) Date Signature

PATENT PETITION



IN THE UNITED STATES

PATENT AND TRADEMARK OFFICE

APPLICANTS:

GERARD MCGOOGAN

PATENT NO.:

6,111,738

ISSUE DATE:

August 29, 2000

APPLICATION NO.:

09/083,769

FILING DATE:

May 22, 1998

TITLE:

INTRINSICALLY SAFE CIRCUITS

ATTY. DKT. NO.:

19900-03454

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition; United States Patent and Trademark Office P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated

4/27/05

By:

Greg T. Sueoka, Reg. No.: 33,800

Mail Stop PETITION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

ITEMIZED DEFICIENCY STATEMENT FOR DELAYED NOTIFICATION OF LOSS OF SMALL ENTITY STATUS, PURSUANT TO 37 CFR § 1.28(c) and (d).

SIR:

For the above-referenced patent, status as a small entity having been established in good faith, and fees as a small entity having been paid in good faith, the Office was not notified of a loss of entitlement to small entity status at the time of paying the first maintenance fee, as required by 37 CFR § 1.27(g)(2). To have this error excused pursuant to 37 CFR § 1.28(c) and (d), Applicants hereby file an Itemization of the Deficiency Payment along with a Payment of the Deficiency Owed.

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I. ITEMIZATION OF THE DEFICIENCY PAYMENT

Following is a list of each particular type of fee that was erroneously paid as a small entity, the current fee amount for a non-small entity, the small entity fee actually paid, and the date of payment:

- 1. First maintenance fee was paid on 08/03/2004. Although the amount of \$910.00 was tendered based on large entity status, the USPTO issued a refund for part of the fee because the USPTO had not been notified of the loss of entitlement to small entity status. Therefore, the first maintenance fee actually paid was in the amount of \$455.00. Under 37 CFR § 1.20(e), the current fee amount for first maintenance fee for a non-small entity is \$900. Under 37 CFR §1.28(c)(2)(i), the deficiency amount owed based on this transaction is equal to the amount (previously) paid in error, i.e. \$455.00.
- 2. Surcharge for late payment of first maintenance fee within 6 months was paid on 08/03/2004. Although the amount of \$130.00 was tendered based on large entity status, the USPTO issued a refund for part of the fee because the USPTO had not been notified of the loss of entitlement to small entity status. Therefore, the small entity surcharge actually paid was in the amount of \$65. Under 37 CFR § 1.20(h), the current fee amount for surcharge for late payment of first maintenance first maintenance fee for a non-small entity is \$130. The deficiency amount owed based on this transaction is \$65.00.
- 3. The total deficient payment owed is \$520.00.

II. PAYMENT OF THE TOTAL DEFICIENCY PAYMENT OWED

Enclosed herewith is a payment in the amount of \$520.00 for the total deficiency payment owed. The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2555. A duplicate copy of this authorization is enclosed.

III. CONCLUSION

As stated above, the Office was not notified of a loss of entitlement to small entity status at the time of paying the maintenance fee, as required by 37 CFR § 1.27(g)(2). By filing this statement, Applicants have complied with the requirements for having this error excused pursuant to 37 CFR § 1.28(c).

PATENT PETITION

Pursuant to 37 CFR § 1.28(d), the present deficiency payment submitted under 37 CFR 1.28(c) is treated as a notification of a loss of entitlement to a small entity status. Specifically, the entitlement to small entity status was lost on June 30, 2000. Accordingly, Applicants respectfully urge the Office to accept the present notification of change in entity status.

Respectfully submitted, GERARD MCGOOGAN

Dated:

4/27/05

By:

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